

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

VOTING

Mr. MCCONNELL. Madam President, this week on this floor, we are poised to witness something that has never happened before in living memory: an attempt to attack the core identity of the Senate by a sitting majority leader.

The senior Senator from New York once said nuking the filibuster would “turn what the Founding Fathers called the cooling saucer of democracy into the rubber stamp of dictatorship.” He said it would “make the country into a banana republic . . . a doomsday for democracy,” he said. Now, he wants to trigger that doomsday himself.

When I was majority leader, some of my own party urged me to break the Senate for our own party’s short-term gain. My answer was a simple word: “no.”

Less than 4 years ago, the senior Senator from Illinois said nuking the legislative filibuster “would be the end of the Senate as it was originally devised and created going back to our Founding Fathers.” Now, he wants the Senate to end on his watch.

The last time Senate Democrats were in the minority, 32 of them signed a letter demanding the legislative filibuster stay in place. Now, many of them say they want to break this institution. The excuses put forward for this behavior are entirely fake. The supposed justifications are simply false. The Senate Democratic leaders are trying to use a big lie to bully and berate their own Members into breaking their word, breaking the rules, and breaking the Senate.

We are going to spend all week sounding the alarm on the radical takeovers that some Democrats want to pull off. They want to silence millions of Americans and take over the Senate so they can take over elections so they can take over America.

Leading Democrats say they want to break the Senate because of the sinister anti-voting plot that is sweeping America. Of course, this is totally fake. It does not exist. The current control of Congress and the White House were decided in 2020 by the highest turnout in 120 years. Ninety-four percent of voters said voting was easy. More Americans say current voting laws are too lax than say they are too restrictive.

Confronted by the facts, the Democratic leader says they are, of course, irrelevant. He says the entire nuclear push is occasioned by what a few States did in 2021. This is utter nonsense. The Senator from New York has been publicly laying groundwork to nuke the Senate rules since back in 2019, before the 2020 election. More than a year before the 2020 election, the Democratic leader was openly flirting with nuking the Senate rules if he got the power so he would be able to

ram through bigger changes. Now, none of this was occasioned by what State legislatures did in 2021. This is actually a yearslong quest for power in search of a pretext.

Their hysterical attack on State laws are fake as well. The State of Georgia passed a voting law providing for more in-person early voting than New York provides. It allows for no-excuse absentee voting, which New York prohibits. If there was not a voting crisis in Democrat-run New York 6 months ago, there is no crisis in Georgia now. If Georgia is a banana republic today, then New York has been and still is a banana republic. There is zero logic here, zero consistency.

In the State of Texas, Democrats are hysterical because the State rolled back some unusual COVID-specific exceptions to their prior procedures, such as universal drive-through voting and 24-hour voting. So if the bar for voting rights now requires the possibility of voting in person at 3 a.m., how many blue States in America meet that bar? Neither of these things existed in Texas before 2020, and neither widely exists in blue States.

Every hysterical claim that our democracy is in crisis rings hollow. More Americans today say that President Biden’s election was legitimate—now listen to this—than said the same thing about the prior President in late 2017. More Americans today say that President Biden’s election was legitimate than said the same about the prior President in late 2017. Yet Democrats are trying to use their fake hysteria to justify breaking Senate rules so they can seize control of elections in all 50 States. That is what they are up to.

Historically, the Senate has taken up elections legislation on a careful, bipartisan basis. We have made sure not to trample on the rights of voters and the proper roles of local officials.

In 2002, we passed the Help America Vote Act by a vote of 92 to 2—92 to 2. Chris Dodd and I authored that bill. Interestingly enough, the only dissenting votes came from then-Senator Hillary Clinton and the current Democratic leader, CHUCK SCHUMER. Ninety-two to two.

Well, that is how you pass election reform if there are actual issues that need tackling. You do it carefully; you do it thoughtfully; bipartisan committee work; regular order. Our colleagues aren’t doing anything like that. They are trying to ram through a sweeping, partisan legislation that they first drafted and introduced in its first iteration back in 2019.

Democrats say they are concerned about efforts to disempower the appropriate local elections officials. Well, it is actually their bills that would disempower local officials, by Washington Democrats appointing themselves the entire country’s board of elections on steroids.

Democrats say they are concerned about overturning election results.

Well, it is their bills that would overturn election results, overruling the commonsense voting laws that citizens across the country pick for their own States.

A case in point: The Democrats’ latest bill would force the entire country to adopt two practices—same-day registration and no-excuse absentee voting—that the citizens of New York State had as ballot measures last November. Deep-blue New York rejected them both. So you have to ask yourself, why are Washington Democrats refusing to accept the decision of New York voters? Why are they trying to set aside these election results and overturn the people’s will?

Our Democratic colleagues also talked about a so-called voting rights bill. This is a bill to turn the partisan Attorney General into a national elections czar. The Attorney General would no longer have to sue States to win in court; he could end up doing an end run around the legal system and push States around without having to persuade a judge first. I am sure our Democratic colleagues would have reacted well if Republicans had tried to break Senate rules so that Bill Barr could micromanage elections in blue States. I am sure that would have gone swimmingly on their side of the aisle.

But, ultimately, the issues at stake this week run even deeper than this fake hysteria, even deeper than voting laws. Breaking the Senate itself and nuking the filibuster would cause a massive political power outage for many millions of American citizens, for entire States.

So the filibuster is not just about what bills are blocked; it is also the sole feature that gives millions of Americans any voice at all in the legislation that does pass whenever there is one-party control. Annual appropriations, government funding bills, the NDAA, rescue packages like the CARES Act—all of them could be done on a one-party basis, thereby eliminating the influence of every State in America represented by a Member of the minority.

For decades, both Senators and citizens have been able to take for granted that everybody gets a voice, even when they don’t have divided government. If this unique feature of the Senate is blown up, millions and millions of Americans’ voices will cease to be heard in this Chamber—a radical Senate takeover, for a radical elections takeover, for a radical takeover of our Nation’s future.

What the Democratic leader wants to do would not protect our democracy or our system of government. It would destroy a key feature of American Government forever, and the Senators on both sides know it.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I listened carefully to the Republican leader’s statement about the institutions of the Senate, the traditions of the

Senate, the rules of the Senate, the precedents of the Senate, and why we are dutybound to follow them, but I couldn't get this image out of my mind as he spoke: the image of that news that came to us one day that Supreme Court Justice Antonin Scalia had tragically passed away.

And we all remember what happened next. It was the same Republican leader who sent the word out to his Republican Members: Don't even entertain the possibility that President Obama is going to fill this vacancy on the Supreme Court. We are going to keep this vacancy open in the hopes that we can elect a Republican President to fill it.

Now, that was 8 months at least, maybe 10 months, before the election. And it was the first time in the history of the United States that a Republican leader of the Senate used his power to browbeat his members not even to meet with Merrick Garland, the President's nominee, President Obama's nominee. They wouldn't even entertain an office meeting with him to discuss it. It was out of the question. The Supreme Court was going to have 8 members, period, and not one more because there was an election coming and a Republican opportunity in that election. And so that is what happened. You remember it well, and I do too.

So when I hear about preserving the sanctity of traditions in the Senate, I can't help but remember that vacant seat on the Supreme Court for almost a year. I cannot help but remember that in the last year of Obama's Presidency that he was denied the opportunity which other Presidents routinely were given to fill a vacancy on the Supreme Court. That was the reality.

And now there is a question of the future of the filibuster, and I will concede that the filibuster has been part of the profile in the Senate for a long, long time—for many decades. But what the Senate Republican leader fails to note is that the use of the filibuster is out of control.

We now have filibusters threatened on everything in sight. It was by design, not by accident. And it was by design to slow down the business of the Senate and stop the production of the Senate, and that is why day after weary day this Chamber is empty. Nothing is happening because a filibuster is usually looming over the body.

And for those who want to restore the Senate to an actual legislative body with actual debate and amendments on the floor, we are being told by the Republican leader that we are somehow denying the basic birthright of the Senate, and we know that is wrong. We know that the Senate, as many of us remember, has changed dramatically.

It was 25 years ago that I came to the Senate. We voted a lot. We actually had 12 appropriations bills come to the floor of the Senate every year—every year—under an open process where any amendment could be offered and de-

bated and voted on, and ultimately that appropriations bill would go into conference with the House and end up doing what it was supposed to do, funding our government.

I can't remember the last time that happened. I think it has been 10 years now since the subcommittees for appropriations did their normal business with the budget resolution and prepared these bills. It is gone. Why? Why is it gone? Wasn't it the tradition of the Senate that you consider those bills? It is gone because of abuse of the filibuster.

Any amendment that is offered is threatened with a 60-vote requirement and things grind to a halt. And you know the net result of it? We have something called an omnibus. All the spending bills are merged into one massive piece of legislation. Let the staff write it. Let the Members look over their shoulder and see if there is anything in there of interest, and we pass it year after year after year.

Is that another fine tradition of the Senate that we want to protect? I hope not.

Let me say a word about voting, if I can. For as long as we have had this Nation, there has always been a basic question as to who will choose the leaders.

Our Founding Fathers showed a lot of wisdom, but they missed it when it came to voting—at least by this century's standards because they denied the vote to African Americans who, by and large, were slaves in that culture, and they denied the vote to women. And they said that basically propertied individuals were the ones who would choose the leaders of our country.

We have a different view of America's democracy today, and many of us believe that every eligible person in this country should be given an opportunity to vote that is not a hardship.

So in the 2020 election, we had a record turnout. There were many of us who felt we should build on that to have an even larger turnout in the next election—let the people speak, let the people vote.

And in about 20 different State legislatures controlled by the Republicans, exactly the opposite was decided. They decided that they would restrict opportunities to vote. Too many darn people voted in that 2020 election, and the results weren't what some of the Republican legislatures and Governors expected. So they decided they wanted to change it—reduce the opportunity for early voting, reduce the opportunities for registration, reduce the opportunity for same-day registration.

They argued that some States have them and some don't. Well, the bottom line, as we see it on the Democratic side, is if we are going to open opportunity for people across the country who are eligible to vote without hardship, then we ought to do it across the board, and that is why we support legislation—Federal legislation ordained and envisioned by our Constitution to

establish standards that will make it easier to vote.

The Senator from Kentucky likes to come to the floor and say, well, New York doesn't have all those good things. He may be right. But why shouldn't they? As far as I am concerned, Illinois, New York, Hawaii, all States should be governed by standards and give people an additional opportunity to vote.

I would rather come down on the side of a larger turnout of the electorate and let democracy speak than the alternative, which is being suggested by the Republican leader. They want to selectively make it difficult for some people to come and vote. I don't. I think they are wrong.

Time and again, the Senate Republican leader came to the floor and called things fake. I guess we are now into that characterization and can thank President Trump for leading us down that path. What is not fake is this. Throughout the history of the United States, the opportunity to vote has been denied, primarily to people of color and the poor, year after year, in an effort to try to ensure that election results turned out a certain way.

For the longest time, my Democratic Party was guilty of that sin. I readily confess it because history makes it clear, but now that mantle has been passed to the party of Abraham Lincoln, the Republican Party, which is now trying to restrict the right to vote across the Nation.

When you heard that in Georgia you couldn't provide water or food to people waiting in line, it probably struck most Americans as odd. Why would they say that?

Well, visualize, if you will, the lines of voters, and you will find, if your memory is the same as mine, that largely they were minority voters who were standing in line for hours to vote—hours to vote.

And so the Georgia State Legislature and others have said, if you give them water or food, you have violated the law. Let them stand in line without any support.

Really? Is that what it has come down to? The fear that if you give a cup of water to someone waiting in line to vote, you are buying their vote? I just can't believe the thinking that leads to that. But we know behind it were a lot of situations where machinery and voting places were limited to minority populations.

#### UKRAINE

Madam President, nearly 32 years ago, Lithuania, a tiny nation on the Baltic Sea, dared to reclaim its freedom from the Soviet Union. At that time, the Soviet Union was one of the world's superpowers. The reaction from Moscow took 11 months, and it was brutal.

On January 11, 1991, 31 years ago this week, Soviet tanks rolled in to crush Lithuanian freedom. It would become known as Lithuania's Bloody Sunday. In the capital city of Vilnius, crowds